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LIMITED PARTNERSHIP (erroneously sued as
ALLTECK LINE CONTRACTORS, INC.)

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through her guardian ad litem MEGANN PITTS,
and MEGANN PITTS

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

J.P., a minor, by and through her Guardian Ad
Litem MEGANN PITTS, and MEGANN
PITTS, individually,

Plaintiffs,

v.

ALLTECK LINE CONTRACTORS, INC.,
and DARREN KELLY,

Defendants.

Case No. 2:20-cv-01056-JAM-DMC

**FOURTH AMENDED JOINT
STIPULATION AND REQUEST TO
EXTEND DEADLINES IN PRETRIAL
SCHEDULING ORDER; ORDER**

Plaintiffs JP and MEGANN PITTS (“Plaintiffs”), through their counsel
Walkup, Melodia, Kelly & Schoenberger, and Defendants ALLTECK LINE
CONTRACTORS, INC., and DARREN KELLY (hereinafter “Defendants”),
through their counsel Klinedinst PC, hereby stipulate and seek Court approval for
the following:

STIPULATION

Since this Court's Status (Pre-Trial Scheduling) Order of October 8, 2020, the parties have exchanged written discovery. Although this is a motor vehicle accident case, the injuries are complex and treatment is ongoing. Many medical disciplines are involved. In this regard, the medical records are voluminous and current treatment records are still needed for review by qualified professionals before conducting independent medical examinations and preparing expert witness reports required for disclosure.

The parties have encountered additional unforeseen issues in the discovery process, and further issues associated with Covid 19, have resulted in delays in the subpoena process to obtain relevant medical records and documentation needed for expert review. This has prevented the Parties from obtaining all the pertinent records such that additional time is needed to secure the medical and educational records, perform medical examinations, and to complete expert reports.

The Parties request an additional 30 day continuance of all non-expert and expert discovery deadlines in order to complete additional discovery, obtain the necessary medical, education, and treatment records, and to explore the possibility of settling and/or mediating Plaintiffs' claims. The parties have obtained three prior orders from this Court extending the non-expert discovery deadlines, and three prior orders extending the expert discovery deadlines.

Accordingly, the parties request to modify the Scheduling Conference Order as follows:

- (1) Expert Disclosure due by December 20, 2021;
- (2) Rebuttal Expert Disclosure due by January 14, 2022;
- (3) Discovery Cutoff Date: January 31, 2022;
- (4) Dispositive Motion Filing Deadline: February 25, 2022
- (5) Dispositive Motion Hearing: April 19, 2022, at 1:30 p.m.;
- (6) Joint Mid-Litigation Statement Filing Deadline: Fourteen (14) days prior

1 to the close of discovery;

2 (7) Final Pretrial Conference: June 3, 2022 at 11:00 a.m.;

3 (8) Jury/Bench Trial: July 25, 2022 at 9:00 a.m.

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5 SO STIPULATED.

6 Walkup, Melodia, Kelly & Schoenberger

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9 By: /s/ Richard H. Schoenberger
10 DATED: November 10, 2021 (as authorized on November 10, 2021)
11 Richard H. Schoenberger
12 Plaintiffs J.P., a minor, by and through
13 her guardian ad litem MEGANN
14 PITTS, and MEGANN PITTS

15 KLINEDINST PC

16
17 DATED: November 10, 2021 By: /s/ Natalie P. Vance
18 Natalie P. Vance
19 Ernest L. Weiss
20 W. Jason Scott
21 Attorneys for Defendant
22 DARREN KELLY and ALLTECK
23 LIMITED PARTNERSHIP
24 (erroneously sued as ALLTECK LINE
25 CONTRACTORS, INC.)
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ORDER

Accordingly, for good cause and pursuant to the above Stipulation of the Parties, IT IS HEREBY ORDERED that the Scheduling Conference Order is modified as follows:

- (1) Expert Disclosure due by December 20, 2021;
- (2) Rebuttal Expert Disclosure due by January 14, 2022;
- (3) Discovery Cutoff Date: January 31, 2022;
- (4) Dispositive Motion Filing Deadline: February 25, 2022
- (5) Dispositive Motion Hearing: April 19, 2022, at 1:30 p.m.;
- (6) Joint Mid-Litigation Statement Filing Deadline: Fourteen (14) days prior to the close of discovery;
- (7) Final Pretrial Conference: June 3, 2022 at 11:00 a.m.;
- (8) Jury/Bench Trial: July 25, 2022 at 9:00 a.m.

IT IS SO ORDERED.

DATED: November 12, 2021 /s/ John A. Mendez
THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE